

Pro Se 5 (Rev. 12/16) Complaint for a Civil Case Alleging Negligence

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UNITED STATES DISTRICT COURT

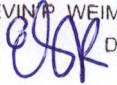
for the

Northern District of Georgia



MAR 13 2025

Division

KEVIN P. WEIMER, Clerk
By:  Deputy Clerk

Case No.

1:25-CV-1343

(to be filled in by the Clerk's Office)

Latishia Lee-Ashley +

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Tanner Healthcare For Women

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR A CIVIL CASE ALLEGING NEGLIGENCE**(28 U.S.C. § 1332; Diversity of Citizenship)****I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	LaTishia Lee -Ashley
Street Address	115 Pleasant Dr
City and County	Temple Paulding
State and Zip Code	Georgia 30179
Telephone Number	407-864-7672
E-mail Address	latishialeeshle@yahoo.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name	Tanner Medical Center
Job or Title <i>(if known)</i>	Attn: Registered Agent: Carol Crews
Street Address	705 DIXIE ST
City and County	Carrollton, Paulding
State and Zip Code	Georgia 30117
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Under 28 U.S.C. § 1332, federal courts may hear cases in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000. In that kind of case, called a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff. Explain how these jurisdictional requirements have been met.

A. The Plaintiff(s)

1. If the plaintiff is an individual

The plaintiff, (name) Latishia Lee-Ashley, is a citizen of the State of (name) Georgia.

2. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

B. The Defendant(s)

1. If the defendant is an individual

The defendant, (name) _____, is a citizen of the State of (name) _____. Or is a citizen of (foreign nation) _____.

2. If the defendant is a corporation

The defendant, (name) Tanner Medical Center, is incorporated under the laws of the State of (name) Georgia, and has its principal place of business in the State of (name) Georgia.
Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

C. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

On (date) 08/20/2024, at (place) 706 Dixie St Suite 200 Carrollton, GA 30117,

the defendant(s): (1) performed acts that a person of ordinary prudence in the same or similar circumstances would not have done; or (2) failed to perform acts that a person of ordinary prudence would have done under the same or similar circumstances because *(describe the acts or failures to act and why they were negligent)*

by mishandling Plaintiff's blood sample, which resulted in the mixing of Plaintiff's sample with another patient's sample. As a result, Plaintiff was falsely diagnosed with HIV on August 26, 2024 causing significant emotional distress, fear for her health, and unnecessary medical interventions.

The acts or omissions caused or contributed to the cause of the plaintiff's injuries by *(explain)* mishandling Plaintiff's blood sample, leading to the wrongful HIV diagnosis. This error resulted in unnecessary medical procedures and emotional distress, including anxiety, fear for her health and the health of her unborn child, and unnecessary treatments that were not needed. Plaintiff was subjected to undue medical tests and treatments, causing harm and distress during her pregnancy, which was further exacerbated by the uncertainty of the diagnosis. As a result of Defendant's negligence, Plaintiff seeks damages for medical expenses, emotional distress, and other harm caused by the mishandling of her blood test results.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Plaintiff seeks compensation for the emotional distress caused by the wrongful HIV diagnosis, including anxiety, fear for her health and the health of her unborn child, and the trauma experienced during pregnancy, in the amount of \$75,000

Punitive Damages:

Plaintiff seeks punitive damages in the amount of \$1,000,000 to punish Defendant's gross negligence in mishandling Plaintiff's blood sample and to deter similar conduct in the future. The Defendant's actions were reckless and showed a disregard for the safety and well-being of Plaintiff.

Ongoing Harm:

Plaintiff states that the wrongful diagnosis and its emotional and psychological impacts are continuing to affect her mental health and well-being. The harm caused by the mishandling of her blood sample has led to lasting emotional distress, and Plaintiff continues to suffer from the effects of Defendant's negligence.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

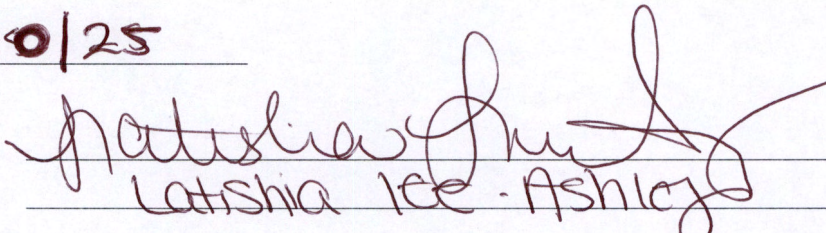
I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

3/10/25

Signature of Plaintiff

Printed Name of Plaintiff


Latisha Lee Ashlock
B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Street Address _____

State and Zip Code _____

Telephone Number _____

E-mail Address _____